

Amendments to the Drawings:

Formal drawings are submitted herewith under Separate Letter to the Draftsperson. For the convenience of the Examiner, a copy of the formal drawings are also attached with this amendment.

Attachment: Copies of Replacement Figures 1-11

REMARKS

The Office Action dated May 18, 2006 has been received and reviewed by the applicant. Claims 1, 2, 6, 8, 12, 13, 17, 19 and 21 are in the application. Claims 1, 2, 6, 8, 12, 13, 17, 19 and 21 stand rejected. Reconsideration is respectfully requested. Claim 1 is amended.

Applicants have carefully read the "Response to Arguments." More specifically, the rejection states "claim 17 *only* requires the watermark pattern to not be exposed 'to the cyan colorant-producing component of the color recording medium at each spatial location of the watermark pattern.'" It is respectfully submitted that this parses the claim and deletes other limitations which is to read with the quoted limitation. The claim should be read as a whole and clearly claim 17 requires claims more than the limitation quoted by the rejection. It also claims exposing to **BOTH** the magenta colorant and yellow colorant and not the cyan. This clearly indicates two colorants and exposed and this is further limited by the fact that the cyan is not exposed.

Claim 1 stands rejected under 35 U.S.C. 102(e) as being anticipated by Kim et al. (U.S. 2005/0167505 A1). In response, claim 1 is amended to more clearly define the invention. In any event, Applicants have carefully read the "Response to Arguments," and claim 1 is amended so that the claims are clearly and unambiguously consistent with the distinguishing remarks.

As for the patentable distinction, Kim fails to teach using at least two colorants at each spatial location of the watermark pattern. The rejection cites paragraphs 9, 13, 18, and 60 of Kim to support his argument that Kim discloses this teaching. For example, in paragraph 9, Kim states that "The embedder is configured to embed data in dots organized in blocks on a print medium, each block being embedded in two different colors, e.g., yellow and magenta, ...". Clarification of the meaning of this statement is disclosed in paragraph 60, which clearly describes a different teaching than the present invention: (Paragraph 60): "The layout of embedded dot blocks in two bands is illustrated in Fig. 3. In the layout, each row comprises two bands/colors. In this embedding scheme, after a strip of dot blocks are embedded in a first color, e.g., yellow, the embedding process is repeated to embed the same strip of blocks in a second color, e.g., in magenta. *Thus, dot block 31 contains the same data as dot block 32, except that block 31 is embedded in yellow and dot block 32 is embedded in magenta.*" Referring to Fig. 3, it can clearly be seen that dot block 31 and dot block 32 are spatially distinct and share no overlapping areas.

The motivation for the spatially distinct bands in Kim is to minimize the problem of "bleed-through," where matter printed on the other side of the printed medium bleeds through to the side where the blocks of dots are


printed (paragraphs 15, 18, 60). In the method of Kim, the process of recovering the watermark information relies upon the two spatially distinct color bands (paragraphs 62 to 71). If the two bands of color were to be placed in the same spatial location, as in the present invention, the recovery process of Kim would be severely compromised. Thus, Kim teaches *away* from the concept of two colors simultaneously at each spatial location of the watermark pattern.

Claims 1, 2, 6, 8, 12, 17, 19, and 21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lowe et al. (U.S. 2003/0012569 A1) in view of Kim et al. (U.S. 2005/0167505 A1). It is respectfully submitted that it is not obvious to combine Kim and Lowe to produce the claimed invention. Neither Lowe nor Kim teach or suggest all of the elements of the present invention (particularly using at least two colorants at each location), and the combination of the two methods does not produce a workable system. As stated above, this is reinforced by noting that Kim teaches a method that would motivate one away from the present invention. MPEP 2143.01 clearly states "THE PROPOSED MODIFICATION CANNOT RENDER THE PRIOR ART UNSATISFACTORY FOR ITS INTENDED PURPOSE."

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

For the reasons set forth above, it is believed that the application is in condition for allowance. Accordingly, reconsideration and favorable action are respectfully solicited.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.